

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,

10 Cr 268 (DLI)

-against-

SHAUN TAYLOR,

Defendant.

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**DECLARATION OF MARGARET M. SHALLEY IN SUPPORT OF
SHAUN TAYLOR'S MOTION FOR NEW TRIAL BASED ON NEWLY
DISCOVERED EVIDENCE**

Margaret M. Shalley, pursuant to 28 U.S.C. § 1746, declares as follows:

1. I am the attorney appointed pursuant to the Criminal Justice Act as counsel for the defendant Shaun Taylor. I respectfully submit this declaration in support of Shaun Taylor's Motion for a New Trial.
2. On September 8, 2014, Mr. Taylor was convicted at trial of the murders of Joseph Vargas and Terrance Barnett, as well as all other Counts contained in the Second Superseding Indictment.
3. At trial, the government introduced evidence of a recording made at the MDC Brooklyn of a conversation between Timothy Pinkney, Mr. Taylor's codefendant, and a confidential informant in which Mr. Pinkney told the CI that he committed the murder of Terrance Barnett at Mr. Taylor's behest.
4. On November 11, 2015, defense counsel received a letter from Timothy Pinkney stating that the statements he made in the above-mentioned MDC recording were not true and that he would testify that Mr. Taylor was not involved in the shooting of Mr. Barnett.
5. A copy of Mr. Pinkney's letter to defense counsel is attached herein as Exhibit 1.

6. Attached as Exhibit 2 is the redacted transcription of the MDC recording.¹
7. Attached as Exhibit 3 is the unredacted transcript of the MDC recording.

WHEREFORE, it is respectfully requested that the instant motion be granted in its entirety or that the Court grant a hearing on the issues presented herein with such other and further relief as this Court may deem just and proper.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: New York, New York
February 16, 2016

/s/
Margaret M. Shalley

¹ Out of an abundance of caution the Exhibits are not being filed on ECF unless the Court directs otherwise.